

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
)
Third Periodic Review of the) MB Docket No. 07-91
Commission's Rules and Policies)
Affecting the Conversion)
To Digital Television)
)
)
)

**TO: OFFICE OF THE SECRETARY
ELECTRONIC FILING**

PRECAUTIONARY COMMENTS OF
SAGA QUAD STATES COMMUNICATIONS, LLC

Saga Quad States Communications, LLC (“Saga”), licensee of KOAM-DT, Pittsburg, Kansas, respectfully files these precautionary comments on the *Notice of Proposed Rulemaking*, FCC07-70, released on May 18, 2007 (“*NPRM*”).¹

At ¶ 2 of the NPRM, the Commission stated:

We tentatively conclude that February 17, 2009 will be the construction deadline for stations that are building digital facilities based on their new channel allotments in the new DTV Table of Allotments (“DTV Table”) and accompanying Appendix B (“new DTV Table Appendix B”), which will be established by an order in the Commission’s DTV proceeding, MB Docket No. 87-268 (*i.e.*, stations whose DTV channel for pre-transition operation is not their channel for post-transition use).² [Section V.C.1. and proposed rule 47 C.F.R. §

¹ The date for filing Comments was extended to August 15, 2007, and the date for filing Reply Comments was extended to August 30, 2007, in *Order Granting Extension of Time for Filing Comments and Reply Comments*, DA 07-3518, released August 6, 2007, so these Comments are timely filed.

² The Commission proposed channel assignments and reference facilities for stations' post-transition operations in a 2006 Notice of Proposed Rule Making in MB Docket No. 87-268. *See Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service*, MB Docket No. 87-268, Seventh Further Notice of Proposed Rule Making, 21 FCC Rcd 12100 (2006) ("*Seventh FNPRM*"). The *Seventh FNPRM* sets forth a channel for each eligible broadcast TV station in the proposed new DTV

73.624(d)(1)(v) in Appendix A]

Saga is licensee of Station KOAM-TV, analog channel 7, and KOAM-DT, digital channel 13, Pittsburg, Kansas. In *Seventh Report and Order and Eighth Further Notice of Proposed Rule Making, Advanced Television Systems and their Impact upon the Existing Television Broadcast Service*, FCC 07-138, released August 6, 2007 (“Seventh R&O” in MB Docket No. 87-268), the Commission adopted the “Appendix B” referred to above, and proposed certain amendments to Appendix B which were specified in Appendix G thereto. Saga hereby, on a precautionary basis, supports the proposals set forth in Appendix G to the Seventh R&O.

In its Comments filed March 27, 2007, Saga stated that its current Appendix B parameters would allow it to reach only 83 percent of the audience it currently serves with its analog signal. Saga requested a revision to specify directional facilities for KOAM-DT at an ERP of 15.33 kW, in order to more closely replicate its analog Grade B contour. Saga’s internal engineering study indicated that use of a directional antenna would prevent any station from receiving impermissible interference, while still allowing KOAM-DT to reach 94.4 percent of people reached by its analog transmitter, an outcome it successfully argued was in the public interest. In the Seventh R&O, the Commission proposed to adopt Saga’s proposal. The Commission analyzed Saga’s request and recalculated the Appendix B facilities based on replicating the analog coverage that was used to determine KOAM-DT’s initial DTV facilities. The Commission proposed to adjust the DTV Table and Appendix B accordingly and solicited comments on the proposal which was set out in Appendix G to the Seventh R&O.

Table. The details of each station’s channel assignment, including technical facilities and predicted service and interference information, are set forth in the proposed new DTV Table Appendix B.

Saga intends to file supporting comments in MB Docket No. 87-268 on the date to be determined after the Seventh R&O is published in the Federal Register. However, Saga is uncertain whether the Commission expects it to file supporting Comments in this docket as well, so, as a precautionary matter, Saga hereby states that, in order to construct the facilities specified in Appendix G to the Seventh R&O, it will follow the procedures established by the Commission after it has considered the comments and replies filed in response to the NPRM.

Specifically, Saga supports the amendment of the proposed Table of Allotments in **Appendix B, Page 150, Line #1**, to include the operating parameters for KOAM-DT as follows:

	<u>Present Tentatively Assigned Allotment</u>	<u>Proposed Allotment</u>
City of license	Pittsburg, KS	Pittsburg, KS
Channel	7	7
ERP	4.2 kW (Omni) 15.33 kW (DA)	
HAAT	340m	340m
Latitude	37°-13'-15"	37°-13'-15"
Longitude	94°-42'-25"	94°-42'-25"

Saga further expresses its interest in constructing and operating the above-described facilities.

Respectfully submitted,

SAGA QUAD STATES
COMMUNICATIONS, LLC

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August 15, 2007